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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,589	09/19/2000	Takeo Morinaga	SONYJP-097	1519

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EXAMINER

VU, NGOC K

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 04/05/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/646,589

Applicant(s)

MORINAGA ET AL.

Examiner

Ngoc K. Vu

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3 &amp; 8</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Okuyama et al. (US 6,256,390 B1).

Regarding claim 1, Okuyama discloses a data processing apparatus, comprising:

a plurality of output terminals (e.g., 110, 111, 112, 113 – see figure 23) for outputting digital data, said digital data including predetermined copy control data (digital multi-channel broadcast signals including copy generation management information for outputting the channel broadcast signals from one of the devices 110-113 – see col. 11, lines 21-24; col. 26, lines 47-54; col. 27, lines 1-13); and

a control means (via STB 101 – see figure 23) for controlling each said output terminal such that said digital data is output from only a specified one of said plurality of output terminals according to said predetermined copy control data (the devices 110-113 receives the channel it desires only from the channels supplies from STB 101 via a bus 100, based on the copy generation management information. For example, the copy prohibition signal “11” as the copy generation management information of the channel B in the multi-channel broadcasting signal, the receiving devices 111 and 113 can not receive channel B among the desired channels in the broadcasting signal (copy protection). If detection of “10” or “00” as the copy generation

Art Unit: 2611

management information of channel B in the multi-channel broadcasting signals, the devices 111 and 113 can receive all channels – see col. 29-30, lines 62-10; col. 29, lines 15-37; col. 30, lines 39-50).

Regarding claim 2, Okuyama discloses that the control means adds said predetermined copy control data to said digital data to be output from said one specified output terminal (STB 101 sends the digital multi-channel broadcast signals with the copy generation management information via circuit 108 and bus 100 to one specified device of devices 110-113 – see col. 27, lines 4-13).

Regarding claim 3, Okuyama discloses that the predetermined copy control data indicates whether said digital data can be copied (for example, the copy generation management information “11” indicates copy prohibition or “00” indicates “00” free copying or “10” indicates copying only once – see col. 25, lines 44-49 and 64-67; col. 29, lines 22-37; col. 29-30, lines 62-37; col. 30, lines 39-50).

Regarding claim 4, Okuyama discloses a data processing method, comprising:

conveying digital data to a plurality of outputs (providing digital multi-channel broadcast signals to devices 110-113 – see figure 23);

adding predetermined copy control data to said digital data (providing digital multi-channel broadcast signals with copy generation management information - see col. 27, lines 4-13); and

controlling said plurality of outputs such that only a specified one of said plurality of outputs allows said digital data to be output according to said predetermined copy control data the devices 110-113 receives the channel it desires only from the channels supplies from STB 101 via a bus 100, based on the copy generation management information. For example, the copy prohibition signal “11” as the copy generation management information of the channel B in

Art Unit: 2611

the multi-channel broadcasting signal, the receiving devices 111 and 113 can not receive channel B among the desired channels in the broadcasting signal (copy protection). If detection of "10" or "00" as the copy generation management information of channel B in the multi-channel broadcasting signals, the devices 111 and 113 can receive all channels – see col. 29-30, lines 62-10; col. 29, lines 15-37; col. 30, lines 39-50).

Regarding claim 5, Okuyama discloses adding said predetermined copy control data to said digital data to be output from said one specified output terminal (STB 101 sends the digital multi-channel broadcast signals with the copy generation management information via circuit 108 and bus 100 to one specified device of devices 110-113 – see col. 27, lines 4-13).

Regarding claim 6, Okuyama discloses that the predetermined copy control data indicates whether said digital data can be copied (for example, the copy generation management information "11" indicates copy prohibition or "00" indicates "00" free copying or "10" indicates copying only once – see col. 25, lines 44-49 and 64-67; col. 29, lines 22-37; col. 29-30, lines 62-37; col. 30, lines 39-50).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iwaki (US 6,370,318 B1) discloses a system and method for copy protect.

Okamoto et al. (US 5,778,140 A) discloses a video signal processing apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 703-306-5976. The examiner can normally be reached on Monday-Thursday.

Art Unit: 2611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ngoc K. Vu  
Examiner  
Art Unit 2611

March 31, 2004